

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RENEE MARTINEZ,

Plaintiff,

v.

CIV 11-0553 JCH/KBM

**DEPARTMENT OF PUBLIC SAFETY,
NEW MEXICO STATE POLICE and
OFFICER NOE ALVARADO, in his
individual and official capacity,**

Defendants.

ORDER GRANTING MOTION FOR ATTORNEY FEES (DOC. 46)

THIS MATTER comes before the Court on Defendants' Motion to Compel Payment of Attorneys Fees for Defendants' Counsel As Awarded By the Court (*Doc. 46*). Having reviewed the parties' submissions and the relevant law, I find the Motion is well-taken and should be granted.

Initially, I unambiguously ordered Plaintiff to pay Defendants their reasonable attorneys' fees and costs incurred in bringing their Motion to Compel (*Doc. 29*). *See Doc. 33*. Plaintiff did not file objections to my Order (*Doc. 33*) with the District Court Judge assigned to this matter. *See* 28 U.S.C. § 636(b)(1)(A) (providing that "[a] judge of the court may reconsider any pretrial matter under this subparagraph (A) where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law").

I have reviewed the Affidavit of Stephen G. French (*Doc. 48-1*) filed with Defendants' Reply. I find the fees and expenses, including the necessary copying costs, listed therein to be

reasonable and appropriate. Further, I find no reason to delay payment of such fees, which were designed, in part, to prevent further discovery abuses as this litigation continues.

Wherefore,

IT IS ORDERED that Defendants' Motion to Compel Payment of Attorneys Fees for Defendants' Counsel as Awarded by the Court (*Doc. 46*) is granted. Plaintiff shall pay \$1,355.58 to counsel for Defendants no later than December 1, 2012.


UNITED STATES CHIEF MAGISTRATE JUDGE